Wyckham Park Residents' Association (WPRA)
C/o 32 Pine Copse Road,
Dundrum
Dublin 16

Case No. 313220

Description: SHD Development of Demolition of all existing buildings on site, construction of 881 no. apartments, creche and associated site works.

Address: Old Dundrum Shopping Centre known as Old Dundrum Village Centre and Adjacent properties to the west of Main Street, Dundrum, Dublin 14

Dear Madam/Sir:

This objection is from the Wyckham Park Residents' Association (WPRA). It has been prepared for the WPRA by Siobhan O'Connor, MRUP, a member of the WPRA and a practicing Urban Planner in the Dublin Area.

1. Objection to the Principle of the Development as proposed

Wyckham Park Residents Association (WPRA) wish to make the following objections in the strongest terms all based on current national, regional and local planning policy set out Section 28 Ministerial Guidelines particularly Design Standards for New Apartments Apartment (2020) and the Urban Development and Building Height Guidelines (2018), National Planning Framework (NPF) and strategies and the Dun Laoghaire-Rathdown County Development 2022 – 2028, the accompanying Architectural Conservation Area for Dundrum both adopted 21st April 2022, Dundrum Community, Cultural and Civic Action Plan (2020) and the Issues Paper issued for Dundrum Local Area Plan in 2018.

Firstly, the WPRA like to make it very clear to An Bord Pleanála that a significant upgrading and intensification of the old Dundrum shopping centre site by way of a high density, multi-functional and employee-intensive development complemented by cultural, civic, amenity uses with an element of high density residential on upper levels would be hugely welcomed on this strategically located and well-connected village centre site. This site is one of the only large MTC-zoned sites in the entire county with redevelopment potential of such significance and has the opportunity and the potential to fulfil the role as the civic heart of Dundrum Village, acting as a multi-functional destination for local residents, employees and visitors to shop, work, recreate, and live in a high quality and well-designed multi-functional development that integrates in a positive manner with the established historic village centre,

Architectural Conservation Area in accordance with the Core Strategy and MTC zoning objective of the County Development Plan.

However, the development as proposed fundamentally fails to comply with the landuse zoning objective and supporting vision and objectives that Dun Laoghaire Rathdown County Council has for Dundrum Major Town Centre to continue to develop and improve as an employee intensive, mixed-use and multi-functional hub in the county and instead rips the potential for a civic heart to be created in this hugely attractive and loved village centre, failing miserably to create a sense of place for either the residents or visitors to Dundrum village or for the future **2,849 future occupants** (based on **number of bedspaces proposed)** of the predominantly residential scheme. Scant regard has been taken by the applicant of the site-specific Special Local Objectives (SLOs) set for the application site (Map 1 of Development Plan 2022 - 2026 refers). For the convenience of the planning authority, these have been included in Table 1 below. As stated by the DLRCOCO in their Opinion to ABP these SLOs are not aspirations for the site but rather are requirements to be incorporated by the applicant as part of the redevelopment of the site.

The scheme is proposed as a primarily residential (95%) scheme with poor quality apartments, extremely poor quality and highly inadequate quantity of public and communal amenity spaces, with no true civic amenity square or high quality, easily accessible public amenity spaces or any indoor cultural or civic uses proposed.

Under the Core Strategy of the development plan it is a stated policy objective (CS13) of the Council to *support the development and renewal of strategic regeneration sites in the County which includes Dundrum Town Centre Phase 2 lands* i.e. the application site.

The Employment Strategy of the development Plan identifies the two Major Town Centres of Dún Laoghaire and Dundrum as strategic employment locations. The Plan recognises the importance of retaining and facilitating additional office accommodation in Major Town Centres as a key land use that contributes to the vibrancy and vitality of these highly accessible multi-functional centres. The Council will support the development of office accommodation at each of the Major Town Centre's subject to maintaining a balanced mix of uses across the wider Major Town Centre lands in line with their multi-functional role while the Retail Strategy requires a broad mix of uses on MTC lands as per Table 7.2 of the development plan.

Table 7.2: *Summary of Overall Strategy for Centres in the DLR Retail Hierarchy*

Type of Centre	Location	Overall Strategy
Major Town Centres	Dún Laoghaire	Consolidation of the Town Centre Quarter. Encourage the incremental growth of secondary character quarters in the remainder of the Town Centre. Refurbishment/ redevelopment of existing fabric to provide appropriately sized floor plates. Comprehensive environmental improvement and upgrade of public realm. Encourage upper floor uses.
	Dundrum	Old shopping centre and adjoining lands – to include appropriate level of complementary non-retail uses and activities in respect to community, cultural and civic uses. Public realm upgrade of Main Street.

The development as proposed is not the type of development Dún Laoghaire-Rathdown have set in their recently adopted development plan type for this strategic, centrally located site.

2. Principle of Development

Material Contravention of the Major Town Centre (MTC) zoning objective of the Dun Laoghaire-Rathdown County Development Plan 2022 - 2028

The application site is zoned Major Town Centre (MTC) with the accompanying landuse objective: *To protect, provide for and improve major town centre facilities"* under the Dun Laoghaire Rathdown County Development Plan 2022 – 2028, adopted 21st April 2022.

The 'MTC' zoning is limited to only two locations in the county, Dundrum and Dun Laoghaire, equating to approximately 60 hectares i.e. less than 0.004% of the entire area covered by the administrative of Dun Laoghaire Rathdown County Council. MTC-zoned lands are, therefore, an extremely scarce and valuable resource for the county.

While MTC-zoned lands are extremely limited in their area they perform a fundamental role in securing the objectives of the Core Strategy of the county development plan. The Core Strategy is the *key component of the Development Plan (Section 2.1 of DLR County Dev Plan).* The MTC zoning objective underpins the core strategy of the plan in terms providing sufficient amount of lands zoned for strategic employment developments and other major town centre multi-functional uses, which may include *an element* of residential. *Employment in DLR is not located solely within the main Objective 'E' zoned employment lands but rather spread across a range of zoning categories including significant concentrations in Major Town Centres (Section 2.4.8.3 of DLR's Core Strategy).*

There is zero policy support in the County Development Plan for predominantly residential schemes on sites governed by 'Major Town Centre' zoning. An Bord Pleanála are, therefore, precluded from granting permission for the development as proposed having regard to the material contravention of the zoning objective that the proposed development poses.

The applicant is proposing a development comprised of a ratio of landuses that would be appropriate for sites with suitable landuse zonings e.g. Landuse Zoning A, A1 or A2, such lands being zoned solely or primarily for residential purposes as clearly stated in Section 2.6.2.2 of the development plan.

An Bord Pleanála should note the site has retained its MTC zoning upon adoption of the new County Development Plan. The Office of the Planning Regulator and Minister had no objection to same and considered the zonings appropriate for the future sustainable development of the county. Should it have been the intention of DLR County Council that the MTC zoning of the site was no longer appropriate and that site was much more suitable for a predominantly residential development the opportunity was there to change the zoning objective to one more suitable for a predominantly residential development e.g. A, A1 or A2. The Council elected not to rezone the lands.
The proposed development with a ratio of 95% residential to 5% Non-Residential constitutes a Material Contravention of the Major Town Centre (MTC) objective: *To protect, provide for and improve major town centre facilities"* and underpinned by extensive supporting Policy Objectives throughout the recently-adopted DLR Development Plan.

While 'residential' landuse is '*Permitted in Principle'* under the 'MTC' zoning objective as per Table 13.1.11 it is clear that this table should not be read in isolation of all other policies, standards and requirements set out in the development plan for sites zoned MTC. As per Section 13.1.3 of the DLR Development Plan "*Land uses designated under each zoning objective as 'Permitted in Principle' are,* ***subject to compliance with the relevant policies, standards and requirements set out in this Plan,*** *generally acceptable*". For the convenience of the planning authority, WPRA have set the relevant policies, standards and requirements of the development plan as they relate to MTC-zoned sites in **Table 1** below.

The following sections of DLRCOCO's County Development Plan set outs Dun Laoghaire Rathdown's Policy Approach for developments on lands with the MTC zoning objective:

TABLE 1 Relevant Policies, Standards and Requirements for MTC-zoned sites as per DLR Development Plan 2022 - 2028

DLR Development Plan 2022 – 2028 Section	**Relevant Policies, Standards and Requirements for MTC-Zoned Sites**
2.4.8.3 **Employment Land and Land Use Zoning**	*Employment in DLR is not located solely within the main Objective 'E' zoned employment lands but rather spread across a range of zoning categories including* ***significant concentrations*** *in* ***Major Town Centres***

DLR Development Plan 2022 – 2028 Section	Relevant Policies, Standards and Requirements for MTC-Zoned Sites
Table 2.15 **Strategic Employment Locations** **Major Town Centres**	*Potential for the development of key strategic urban regeneration sites for **employee-intensive development**. Located on strategic transport corridors, aligning employment growth with both existing and new residential communities.*
6.3.3 Demand for Employment Zoned Lands	*Potential for the development of key strategic urban regeneration sites **for employee-intensive development** at the **Major Town Centres** in the County. The Plan recognises the importance of employment within the County's Major Town Centres as a key element that contributes to the vibrancy and vitality at these highly accessible **multifunctional** locations.*
6.4 Enterprise and Employment - Strategy and Policies Objectives	*The strategy supports the expansion of key strategic employment locations at Sandyford, Cherrywood, Carrickmines and seeks to retain and enhance the **important role of employment** in the County's **Major Town Centres*** ***Office developments** will generally be considered appropriate in employment zones, **Major Town Centres** and District Centres.* The Employment Strategy of this Plan identifies the **two Major Town Centres** of Dun Laoghaire **and Dundrum as strategic employment locations.** The Plan recognises the importance of retaining and facilitating **additional office accommodation in Major Town Centres** as a key land use that contributes to the vibrancy and

DLR Development Plan 2022 – 2028 Section	Relevant Policies, Standards and Requirements for MTC-Zoned Sites
	vitality of these highly accessible multi-functional centres. The Council will support the development of ***office accommodation*** at each of the Major Town Centre's subject to maintaining a balanced mix of uses across the wider Major Town Centre lands in line with their ***multi-functional role.*** Remote working spaces also offer the potential for increased activity and a broader employment base within our major town, district and neighbourhood centres,
6.4.2.9 Policy Objective E10 Office Development	*It is a Policy Objective to facilitate significant additional office development in employment and commercial centres. The appropriate locations for office development would generally be in employment zoned areas,* ***Major Town Centres*** *and District Centres.*
6.4.2.13 Policy Objective E14 Commercial Leisure	It is a Policy Objective to ensure that all major commercial leisure developments are located in accordance with a sequential test approach. The priority will be ***Major Town Centre*** locations, then District Centres. Commercial leisure uses may also be considered in Sustainable Neighbourhood Infrastructure and employment zones subject to compliance with the overall policy objectives for that zone. The availability of a choice of sustainable transport modes will be essential.

DLR Development Plan 2022 – 2028 Section	Relevant Policies, Standards and Requirements for MTC-Zoned Sites
7.2 Multifunctional Centres in Dun Laoghaire Rathdown	*In accordance with the current 'Retail Strategy for the Greater Dublin Area, 2008-2016' (RSGDA), the retail hierarchy for DLR consists of:* • *The two '**Major Town Centres' of Dundrum** and Dun Laoghaire* • *The five 'District Centres' of Blackrock, Stillorgan, Nutgrove, Cornelscourt and Cherrywood* • *The numerous smaller 'Neighbourhood Centres' in different locations across the County.*
7.2.3.1 **Policy Objective MFC1**	*It is a Policy Objective of the Council to embrace and support the development of the County's **Major Town Centres**, District Centres and Neighbourhood Centres as **multifunctional centres** which provide a variety of uses that meet the needs of the community they serve.*
Section **7.2.3**	*The **multi-functionality** of our centres should be **embraced, supported and developed** so that the Major Town Centres, District Centres and Neighbourhood Centres of DLR can serve their relevant catchments and communities in an effective fashion.*
7.2.3.2 **Policy Objective MFC2:**	*It is a Policy Objective of the Council to promote accessibility to Major Town Centres, District Centres and Neighbourhood Centres by sustainable modes of transportation in order to encourage multi-purpose shopping, business and leisure trips as part of the same journey*

DLR Development Plan 2022 – 2028 Section	Relevant Policies, Standards and Requirements for MTC-Zoned Sites
7.3.2.1 Policy Objective RET2	It is a Policy Objective of the Council to support the preparation of a Retail Strategy for the Greater Dublin Area in accordance with the Retail Planning Guidelines for Planning Authorities 2012, or any subsequent update so as to, where necessary, update the retail hierarchy and apply floor space requirements. In the interim, it is a Policy Objective to have regard to the existing Retail Strategy for the Greater Dublin Area 2008 – 2016 but to adopt a cautionary approach due to the fact that it now requires to be updated. To maintain the two Major Town Centres (Dún Laoghaire and Dundrum) as the primary retail centres in the County
Policy Objective RET5: **Major Town Centres**	*It is a Policy Objective of the Council to maintain the two Major Town Centres - Dún Laoghaire and Dundrum – as the primary retail centres in the County and to support their evolving multifunctional role. The vitality of the towns will be enhanced by their mixed-use nature. In addition to retail, these centres must include community, cultural, civic, leisure, restaurants, bars and cafes, entertainment, employment and residential uses. Development shall be designed so as to enhance the creation of a sense of place.*
Policy Objective RET11	*It is a Policy Objective of the Council to control the provision of non-retail uses at ground floor level in the principal shopping streets of* ***Major Town Centres and District Centres*** *and also*

DLR Development Plan 2022 – 2028 Section	Relevant Policies, Standards and Requirements for MTC-Zoned Sites
	within the shopping parades of mixed-use Neighbourhood Centres.
Policy Objective CS13 Strategic Regeneration	It is a Policy Objective to support the development and renewal of strategic regeneration sites in the County The application site is defined as a Strategic Regeneration Site.

Currently the shopping site contains approximately 10,000 sq.m. of commercial and retail space on site. However, the centre has not been subjected to any major upgrading by the owners in many years. The applicant is proposing to demolish the entire commercial & retail offering and replace it with less than half the amount existing i.e. 4,458.7 sq.m.

The amount of commercial will equate to just 5% of the proposed floor space with the remaining 95% proposed for residential use. It cannot, therefore, be considered that the proposal complies with the zoning objective as it does not serves to either *protect* or *improve* existing major town centre facilities as required by the zoning objective pertaining to the site.

Is it abundantly clear throughout the development plan that **there is zero policy support in the development plan for predominantly residential schemes on any MTC-zoned sites.**

Having regard to the zoning objective pertaining to the site and all supporting policy objectives throughout the plan the proposal can only be considered as a Material Contravention of the MTC zoning objective pertaining the site. An Bord Pleanála are, therefore, precluded from granting permission for the development.

The proposal, should, therefore, be refused planning permission for the following 1st no. reason:
Reason 1: *The proposed development, comprising 95% residential use with 5% non-residential use, on a site zoned as "Major Town Centre" (MTC) with the accompanying land use objective "To protect, provide for and improve major town centre facilities" constitutes a Material Contravention of the zoning objective as set out in Table 13.1.11 of the Dun Laoghaire Rathdown County Development Plan 2022 - 2028 and supported by policy objectives throughout the development plan, including the Core Strategy, Retail Strategy, Enterprise & Employment Strategy, Housing Strategy of the development plan and the Special Local Objectives pertaining to the site as identified on Zoning Map 1. The policy*

context for the site requires that other uses, such as residential, will be at an appropriate ratio where they are complementary to the main employee-intensive and multi-functional use and shall not conflict with the primary land-use zoning objective. The proposed development fails to satisfy this policy requirement. The proposed development would, therefore be contrary to the proper planning and sustainable development of the area.

3. Prematurity of Proposal Pending Adoption of LAP for Dundrum

The prematurity of this planning application is a material consideration. Table 2.16 of the DLR Dev Plan 2022 – 2028, identifies the fact that an LAP for Dundrum is "being prepared.

Table 2.16: *Local Area Plan-Making Programme*

Local Area Plan	Plan Period	Adopted	Extended to	Compliance with Core Strategy
Ballyogan and Environs LAP 2019-2025	6 Years	July 2019		Broadly consistent with the Core Strategy.
Stillorgan LAP 2018-2024	6 Years	September 2018		Broadly consistent with the Core Strategy.
Woodbrook-Shanganagh LAP 2017-2023	6 Years	July 2017		Broadly consistent with the Core Strategy.
Blackrock LAP 2015-2021	10 Years	March 2015	March 2025	Broadly consistent with the Core Strategy.
Goatstown LAP 2012-2018	10 Years	April 2012	April 2022	Broadly consistent with the Core Strategy.
Kiltiernan-Glenamuck 2013-2018	10 Years	September 2013	September 2023	Broadly consistent with the Core Strategy. New Plan to be prepared.
Dundrum				Plan being prepared.
Dún Laoghaire and Environs				New Plan to be prepared.
Old Connaught				New Plan to be prepared.
Rathmichael				New Plan to be prepared.
Glencullen				New Plan to be prepared.
Sallynoggin				New Plan to be prepared.
Deansgrange				New Plan to be prepared.
Ballybrack/Loughlinstown				New Plan to be prepared.
Clonskeagh/UCD				New Plan to be prepared.

An Bord Pleanála should note that this the only LAP currently under preparation in the county, it is a priority of the council. The plan, while not adopted, is obviously imminent. The preparation of the LAP is also set out as a Key Performance Indicator (KPI) of the development plan. The proposal on this site is therefore deemed premature pending the adoption of the LAP for Dundrum. This application site itself forms a significant portion of the total area of the LAP. As per the CE report on the Draft Plan consultation (page 157) states "*It is anticipated that the Draft Dundrum LAP will be progressed post adoption of the County Development Plan" and a focus on the LAP preparation will be on enhancing the multifunctional nature of Dundrum Town Centre (7.5.2) as per Policy Objective "RET4: Major Town Centre".*

As section 7.5.2 of the development plan states, "*A substantial planning permission was granted in December 2009 for the redevelopment of the old Dundrum Shopping Centre. However, this permission was not implemented due to the uncertainty created by the 2008/2009 property crash and has since expired. That site, as well as others in the area, require careful consideration in the context of the current planning and development environment and the preparation of a Local Area Plan (LAP) for Dundrum will aid in this regard*".

The proposed should, therefore, be Refused for the following 2nd no. reason:

Reason 2: *The proposed development is deemed premature pending the adoption of a Local Area Plan providing a detailed approach to the multi-functional and sustainable development of the Dundrum area, including this site. A grant of planning permission in this instance would set an undesirable precedent for the ad-hoc and piecemeal development of Major Town Centre (MTC) zoned lands that could prejudice the future regeneration of such lands in accordance with national and regional policy objectives to target significant future growth (housing and employment) into brownfield lands within the M50 corridor and along public transport corridors. The proposed development, would, therefore, be contrary to the proper planning and sustainable development of the area.*

Building Height and Scale

ABP refused permission on two separate occasions for proposed SHDs at Former Printworks/Smurfit Site, Daneswell Place, Botanic Road, Glasnevin, as they failed to integrate successfully into the surrounding architecturally sensitive area. Similar issues in terms of architectural sensitives apply here. ABP's attention is drawn to the following two decisions:

- **ABP-307463-20**
- **ABP-303875-19**

Section 3.0 of the *Urban Development and Building Height Guidelines* set out the development management principles and criteria that proposals for higher buildings are to be assessed against:

The *Urban Development and Building Heights Guidelines for Planning Authorities* (2018) Ministerial Guidelines now require that, when considering proposed building height as part of the assessment of a planning application, a criteria-based assessment should be undertaken, based on criteria set out in Section 3.2 the Guidelines.

The proposed development has been examined the proposal in accordance with these criteria, and the proposed development fails to accord with any of the key criterion. Crucially, the development by reason of its height, scale, massing and monolithic design fails to successfully integrate into or enhance the character of this architecturally sensitive area and does not create visual interest in the streetscape. It

fails to not respond positively to its environment, failing to make a positive contribution to the neighbourhood or streetscape.

While the site is very well served by public transport with high capacity, frequent service and good links to other modes of public transport and capable of taking development of greater height and density unfortunately the development as proposed in this architecturally sensitive area does not successfully integrate into or enhance the character and public realm of the area. The area is an architecturally sensitive area, in close proximity to protected structures, and partially within the predominantly two-storey Architectural Conservation Area. New developments should demonstrate a positive urban design response. In proposals such as this one where the proposed change in massing is intense, respect should be shown for existing development by graduating the massing change in incremental steps. The proposed development does not serve to do this.

There is a requirement, as per **Section 7.5.2 of the development plan**, *that new development should be cognisant of the extended Dundrum Architectural Conservation Area (ACA) area and respect the traditional and established character of Dundrum Main Street. All development in the vicinity of the ACA should be carefully considered and should integrate effectively with existing, while allowing for the provision of appropriate, high-quality, innovative architecture on adjoining sites and The requirement that all new building interventions shall respect and take cognisance of the existing established scale, materials and character (especially of the Main Street…and Ballinteer Road between the Luas line and the Dundrum Bypass and the residential amenity of the surrounding area.* The development as proposed fundamentally fails in this regard.

The transition in height between the proposed development and the existing, largely two storey development, along Dundrum Main Street to the east and north of the site and the two-storey residential development to the west is abrupt and severe. The proposal does not make a positive contribution to place-making by incorporating new streets and public spaces as is required under the Height Guidelines on larger redevelopment sites such as this one. While a new "street" is proposed to the rear of the buildings it is narrow for significant stretches of its length, impedes on the privacy of ground floor residential units, and ends abruptly at the southern end with an awkward change in ground levels which the applicant themselves admit is "*less than ideal"* in their landscape design report. None of the spaces have a street frontage to Dundrum Main Street or to Ballinteer Road.

In addition, while the applicant states that 4no. new public spaces are proposed, the site coverage contended by the applicant for all public spaces has been overinflated in terms of measurements. It is entirely unclear how the figures have been arrived at. **ABP should not take any of the floor areas professed by the applicant at face value but is obliged to independently measure all areas.**
It cannot considered that any of the public areas proposed serves as a real civic amenity.

The proposed height, massing and scale of all blocks in this proposal is substantially greater than established two-storey residential development in Sweetmount Avenue. The proposed development would seriously impact upon the residential amenities of Sweetmount Avenue by reason of loss of outlook, overbearance and noise and disturbance from the extensive number of balconies facing directly towards the bedrooms and living rooms of these dwellings in particular nos. 2 – 30 (even only) and excessive overshadowing of nos. 2-6 (even only) Sweetmount Avenue.

While the applicant has used massing and height to achieve a higher density of development there is insufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape. The proposal is monolithic with long, uninterrupted walls of building in the form of slab blocks. The materials and building fabric are not well considered. And most importantly, as required by the Height Guidelines, *the proposal fails to contribute positively to the mix of uses available in the neighbourhood*

The form, massing and height of proposed development has not be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light. The percentage of single-aspect, and north-facing-single-aspects units is very high, internal corridors are long with no natural daylight or ventilation and many of the residential units fail to meet the daylight provision targets outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' with no genuine alternative, compensatory design solutions set out.

The results of the Micro-Climatic Wind Analysis **are seriously concerning.** The area to the north and west of the 16 storey building will only be suitable for 'Business Walking'. This area is already uncomfortable for pedestrians trying to cross the Dundrum Bypass with accelerated traffic levels. It wold also appear to impact upon the very attractive spaces created outside Dundrum Library where a recent public real initiative by DLRCOCO has taken place where seating and at times, a storybook installation/display, areas have been installed for the enjoyment of local residents. The impacts of the 16 storey building will seriously compromise this much loved and used outdoor public space. No mitigation measures have been proposed by the applicant.

A	2 m/s	< 5%	Outdoor Dining
B	4 m/s	< 5%	Pedestrian Sitting
C	6 m/s	< 5%	Pedestrian Standing
D	8 m/s	< 5%	Pedestrian Walking
E	10 m/s	< 5%	Business Walking
U	10 m/s	> 5%	Uncomfortable

Fig. 4.2.1 – Lawson Criteria

Fig. 4.2.2 – Lawson Criteria Results at Zone 1 of Proposed Dundrum Development

While it is acknowledged that An Bord Pleanála are entitled to apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives the proposal fails to fulfil any of the objectives for the area set out in the development plan, in particular the Specific Local Objectives pertaining to the site set out below:

SPECIFIC LOCAL OBJECTIVES (SLOS) PERTAINING TO THE APPLICATION SITE ***(Zoning Map 1 and Chapter 14 of the Development Plan refer)***

SLO No.	It is the objective of the Council to:	Compliance of Proposal with SLO?
6	To complete a Local Area Plan for Dundrum	The proposed development undermines this SLO
8	To ensure Dundrum develops beyond just a retail shopping destination. Any future redevelopment of the old shopping centre lands shall provide for residential use and a range of complementary non-retail uses including - but not limited to - employment, restaurant, leisure, entertainment, crèche facilities, remote working hubs, cultural, community and civic uses – to supplement that already provided for within the wider Dundrum Town Centre	Proposal contravenes this Specific Local Objective with 95% residential use and xx retail use Complementary uses, non-retail uses, referred to equate to 2% of total development e.g. crèche and 3 x café restaurants
9	To ensure that any future redevelopment of the old shopping centre lands, and adjoining /nearby properties on Main Street, take cognisance of the character and streetscape of the Old Main Street, and maintain where appropriate, and possible existing buildings and/or facades. Building Heights alongside Main Street must be sensitive to the original streetscape, in keeping with its character, scale and Architectural Conservation Area status	Proposal contravenes this SLO with the proposed demolition of buildings within the ACA Building heights have not been sensitive to the ACA status. A 4-storey development along the main with the upper floor set back would significantly more sensitive to the character of the ACA The transition in height between the proposed

SLO No.	It is the objective of the Council to:	Compliance of Proposal with SLO?
		development is severe, abrupt and harsh As acknowledged in 13.5.2 Architectural Heritage of the EIAR submitted with the application "*The removal of buildings will re**present a significant loss to the Main Street and the proposed ACA.** The proposed ACA under the 2022-2028 Draft Development plan encompasses No.'s 1 - 4 Glenville Terrace, No.'s 13 / 13a Main Street and the former post office. The Post Office is of some architectural and social interest with respect to its former use, and the contribution of the building to the nineteenth-century streetscape. No. 4 Glenville Terrace, No.'s 13/13a and 15a Main Street are of architectural interest with regard to their contribution to the street scape of Main Street. All of the buildings have been diminished through a combination of insensitive modern interventions and EIAR – Dundrum Village SHD 280 prolonged neglect, particularly internally, so that the significance has been reduced.*

SLO No.	It is the objective of the Council to:	Compliance of Proposal with SLO?
		It is anticipated that the proposed demolition of the former Post Office, No. 4 Glenville Terrace, No.'s 8, 13/13a, 15/15a, will have a Moderate Negative Permanent impact on the historic character of Dundrum Main Street. ***The demolition of the former Post Office, No. 4 Glenville Terrace and No.'s 13/13a Main Street will also negatively impact the proposed ACA representing a loss of the late nineteenth century building fabric in this part of Main Street"***
10	To retain, improve and encourage the provision of sustainable neighbourhood infrastructure facilities	Proposal contravenes this SLO, providing only a creche on site for a development of 2,890 persons
11	To support the recommendations of the Dundrum Community, Cultural and Civic Action Plan.	Proposal contravenes this SLO - There is a need for more rehearsal and performance spaces & a need for an outdoor civic space (Table 7 of plan)

SLO No.	It is the objective of the Council to:	Compliance of Proposal with SLO?
		- A renewed public realm which could be articulated around a new civic heart for the town While the proposal provides public spaces none of the spaces are of a design, scale or in a location to allow them to function as a 'New Civic Heart for the Town' with the spaces either functioning as circulation spaces between buildings or tucked behind buildings, hidden from public view Meadowbrook Swimming Pool oversubscribed – A need for another swimming pool in the area No sports Facility in Dundrum A multi-Purpose Sports Hall required No centralised Civic Centre providing Services in Dundrum Need to recognise the heritage value of Dundrum Pages 55 and 56 set out the vision for this site

SLO No.	It is the objective of the Council to:	Compliance of Proposal with SLO?
114	To ensure any future redevelopment of the Old Shopping Centre site addresses the need for the provision of a future Dundrum Community, Cultural and Civic Centre facility, which also integrates into a civic square/plaza area.	Proposal contravenes this SLO as no Cultural and Civic Centre proposed
123	To ensure that, as Strategic Regeneration Sites, residential provision on the Central Mental Hospital Site and the Old Shopping Centre site will provide for a balanced mix of housing tenure, including affordable homes, and an acceptable mix of larger flexible units, and lifetime adaptable homes to ensure balanced, sustainable communities in Dundrum.	Proposal contravenes this SLO although Ministerial Guidelines overrides this obligation
124	Permeability through all developments on the west side of Main Street should ensure pedestrian/ cycle links between Main Street and the Dundrum Bypass	Proposal complies partly with this SLO in terms of providing a pedestrian / cycle link over the bypass although the meaning of 'Transitional Public Open Space' on the routes is not clear.

This proposed development should also be refused for the following reasons:

Reason No. 3: *The proposed development fails to meet the criteria set out in 3.2 of Specific Policy Requirements 3 as set out within the Urban Development and Building Heights Guidelines for Planning*

Authorities (2018). The is located partially within and adjacent to Dundrum ACA areas and close to buildings listed in the Record of Protected Structures of the Dun Laoghaire Rathdown Development Plan 2022 - 2028. The proposed development fails to successfully integrate into or enhance the character and public realm of the area, having regard to the excessive height, scale, massing and bulk of the development, its monotonous design, the topography of the site and the proximity of domestic scale residential development in Sweetmount Avenue, proximity to protected structures and the Dundrum ACA and the existing landmark structure of exceptional architectural merit, the Luas Overbridge. At the scale of the city and given the topographical and architecturally sensitive constraints in and around the site, the proposed development would not successfully integrate with existing development in the vicinity and would, therefore, be contrary to the Ministerial Guidelines and would be therefore contrary to the proper planning and sustainable development of the area.

Reason No. 4: *Having regard to the design, scale, bulk and height of the development, to its proximity to site boundaries i is considered that the proposed scheme would be overbearing when viewed from adjacent residential properties and would seriously injure the residential amenities of adjoining properties through undue levels of overlooking, overshadowing and noise impacts. In addition, the development would have an adverse visual impact on Sweetmount Avenue due to its bulk and scale in close proximity to the road and to the excessive height, scale and bulk and extensive nature of the façade at the road/western frontage. The proposed development would be contrary the National Planning Framework and Ministerial Guidelines, which promote innovative and qualitative design solutions and would seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

Demolition of Structures in the ACA

The applicant makes the case that the planning history on site under Reg Ref: D08A/0231; Bord Ref: PL06D.233317 (now expired) allowed for the demolition of the existing structures on site and therefore it remains acceptable to demolish same structures. This point of view fails to take account of the fact that the planning permission on the site allowed for the demolition of the structures as the inspector considered that on balance having regard to the ***mixed-use nature*** including hotel, 12. Retail units, a library, a creche and residential, its four-storey height and the need to redevelop the site that in that instance the demolition of the structures was acceptable. This proposed development contains a tokenistic element of mixed use which would not justify the demotion of the structures. Furthermore, structures proposed for demolition are with the boundaries of the ACA which only came into being in April 2022. The policy environment has, therefore, changed substantially as has landuse mix of the development now proposed. The demolition of the structures as part of the development under consideration is no longer acceptable

As acknowledged in 13.5.2 Architectural Heritage of the EIAR submitted with the application

- The removal of buildings will re**present a significant loss to the Main Street and the proposed ACA.** The proposed ACA under the 2022-2028 Draft Development plan

encompasses No.'s 1 - 4 Glenville Terrace, No.'s 13 / 13a Main Street and the former post office. The Post Office is of some architectural and social interest with respect to its former use, and the contribution of the building to the nineteenth-century streetscape. No. 4 Glenville Terrace, No.'s 13/13a and 15a Main Street are of architectural interest with regard to their contribution to the street scape of Main Street. All of the buildings have been diminished through a combination of insensitive modern interventions and EIAR – Dundrum Village SHD 280 prolonged neglect, particularly internally, so that the significance has been reduced.

- It is anticipated that the proposed demolition of the former Post Office, No. 4 Glenville Terrace, No.'s 8, 13/13a, 15/15a, will have a Moderate Negative Permanent impact on the historic character of Dundrum Main Street. **The demolition of the former Post Office, No. 4 Glenville Terrace and No.'s 13/13a Main Street will also negatively impact the proposed ACA representing a loss of the late nineteenth century building fabric in this part of Main Street.**

Residential Amenity of the Scheme

Communal Amenity Space (external)

For a residential scheme of this type with the following mix the External Communal Amenity Space Required = **5574 sq.m. (Minimum)**

Page 64 of the Housing Quality Assessment states that 5574 sq.m. of communal amenity space has been provided "*which is in excess of the requirement*". The applicant's assertion that this amount of communal open space exceeds the minimum standard is obviously incorrect. The figure of 5574 sq.m. would just meet the minimum standards. The applicant's figures stated in the accompanying documents in relation to the communal amenity space has an overinflated figures based on the inclusion of incidental areas including privacy strips, circulation space, and grass margins etc. These do not comprise areas of soft landscaping suitable for relaxation and children's play.

The applicant's measurements for the amenity spaces are crude and overinflated, simply measuring the entire area between buildings' facades, including all circulation spaces, bicycle parking, and other incidental and making no provision for privacy/buffer strips for the residential units. The landscape plans (dwg No. L1-100) shows the communal open space clearly extending up the buildings facades with no privacy buffers provided to allow for privacy of the ground floor residential units. In addition the accompanying legend does not refer to 'buffer zones' which clearly demonstrates that such buffer strips were not a consideration for the scheme. Requiring the provision of buffer strips by way of condition would serve to reduce the area of communal space to below the minimum standard.

Measuring the total amount of communal amenity area between buildings' facades was not considered an acceptable approach by **An Bord Pleanála under 309608-21 (Hartfield Place)** and should not be considered an acceptable approach under this proposal either.

COMMUNAL AMENITY SPACE

	Applicant's Figure	**Actual Upon Measurement** **Excluding surface bicycle parking, vents, allowing for privacy buffers**	Deficit
Zone 1	990 sq.m.	810 sq.m.	180
Zone 2:	1158 sq.m.	675 sq.m	483
Zone 3	853 sq.m	434 sq.m	419
Zone 4	785 sq.m.	630	155
ROOFTOP Amenity Spaces			
	110	110	
	137	137	
	535	535	
	177	177	
	180	180	
	64	64	
	102	102	
	179	179	
Total	5,270 sq.m.	4,033 sq.m	**Deficit of 1237 sq.m.** **23% deficit**

Other issues:

- No play areas (200 – 400 sq.m.) provided for older children and young teenagers (as per Section 4.13 of the Sustainable Urban Housing: Design Standards New Apartments (20200
- Over 40% of the communal amenity space has been provided at roof level, in contravention of the maximum of 30% that the DLRCOCO development plan allows under As per section

12.8.5.4 of the development plan *Consideration of the use of roof gardens as communal open space shall be on a case by case basis and will not normally be acceptable on a site where there is scope to provide communal open space at grade, as roof gardens do not provide the same standard of amenity particularly to young children. Consideration must also be given to the overall design, layout, and location of the roof garden, including its height. For larger apartment schemes in excess of 50 units* ***no more than 30% of the communal open space shall be provided by way of a roof garden.***

Public Open/Amenity Space

15% of the site area is required to be provided as Public Open Space as per Table 12.8 of DLR Dev Plan and must have regard to the content of the Section 28 Guidelines 'Sustainable Residential Development in Urban Areas' (2009).

The applicant claims to provide 15% i.e. 5326 sq.m. of the site as public open space (Drawing L1-100 / Landscape Drawings), the absolute minimum requirement in terms of quantity. The applicant's figures cannot be taken at face value and must be measured independently to verify all figures.

PUBLIC AMENITY SPACE

	Applicant's Open Space Calculations	Actual Open Space	ISSUES / DEFICIT
Usher Place	1104	975	Mainly a pedestrian access route Areas of activity provided directly outside ground floor apartments No east – west connection; ends abruptly
Sweetmount Place	958	750	Mainly a pedestrian access route Areas of activity provided directly

	Applicant's Open Space Calculations	Actual Open Space	ISSUES / DEFICIT
			outside ground floor apartments
Glenville Square	908	620	This space does not form a square, but simply forms circulation space around Glenville Terrace c.150 sq.m of this space (to the east) is for the residents of the scheme
Unnamed	53 sq.m.	0	Forms the entrance route to a proposed retail unit
Church Square	2303	1795	Not visible from the main street or easily accessed from Ballinteer Road or Main Street. A seriously compromised space
Total	5,326	4140 sq.m.	**1186 sq.m. / 22% deficit**

Examining the ground floor plan (DD-GRID-00-00-DR-A-PL010) and the landscape plan in conjunction with one another ABP should note that the outdoor terraces/ balconies of the following units have been included in the areas designated as 'Public Transitional space'

- unit nos. 391, 397, 535, 536 and 537

The following terms are used and indicated throughout the landscape documentation yet are not defined:

'Transitional public space'

'Programmed play'

'Rocks' (why the need for so many rocky areas?)

Usher Place

Public open space, including a seating wall, provided directly outside the sleeping and living areas of residential units. The seating wall is provided directly outside the living rooms, bedrooms and terraces/balconies of the adjacent residential units. The residents of the ground floor units (**nos. 143, 144, 150, 296, 297, 298 and 299**), will be subjected to undue noise and disturbance and suffer from a lack of secured space.

The space is closed off at the western end with no permeability in an east-west direction.

Sweetmount Place

Contains the proposed pedestrian/cycle way which is a positive feature of the scheme however the ground floor units. **Units nos. 391, 396, 397, 535, 536 537** all directly adjoining the public open space with no buffer/privacy zones provided. . The residents of these ground floor units will be subjected to undue noise and disturbance and suffer from a lack of secured space.

Church Square

Church Square and the above-mentioned cycle way are somewhat positive features of the scheme. Church Square is an area of semi-useable public open space that is well designed in terms of its relationship with the adjoining café/restaurant uses and the meeting/function room of the adjacent church building with a favourable south-facing. However it experiences severe level changes, is located to the rear of the church and so is not visible or directly accessible from Dundrum Main Street. It certainly does not fulfil the role of a true civic amenity space/square. The applicant's assertion that this space could accommodate fairgrounds, ice rinks etc. is seriously questioned. The provision of a lift to access the space from Ballinteer Road is indeed far from ideal, as acknowledged by the applicants themselves (Page 7 Landscape Design Statement).

Quality of Residential Amenity of the Scheme:

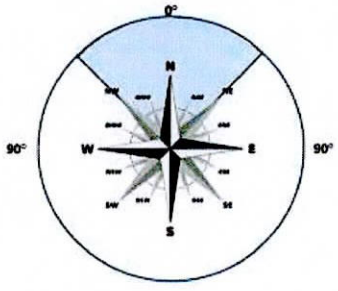
- The entrance doorways and entrances into the blocks are dark, unwelcoming and would have a feeling of poor security. The entrance into Block A, the 16 storey tower block, is north-facing, narrow, recessed and overall poorly designed. For the landmark, standout building this is meant to be this is a mean entrance with a shockingly poor entrance into the scheme.

- Long corridors, particularly in Block 1A with no natural light or ventilation in any of the corridors in any of the blocks
- The floor areas do not comply in terms of widths of rooms
- Balconies and residential units have wholly unsatisfactory relationships with one another with windows of one unit looking directly into the balcony of an adjoining unit as a result of the applicant's events to achieve dual aspect
- Communal and public amenity spaces are overshadowed
- Amenity spaces for residents have not been thought through with unspecified uses given throughout the drawings

Aspect:

Single Aspect, North-facing Units, including 3-bedroom Units

The 2018 apartment guidelines define north-facing units as "units that face predominantly north, north-west or north-east and fall within a 45 degree angle of 0° (i.e. due north) as illustrated by the shaded area below". Although this definition was not carried forward into the 2020 guidelines, there is no reason the definition does not continue to apply.



As per Section 3.18 of the apartment guidelines, north facing single aspect apartments may only be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature.

The applicant states that there are "*No north facing single=aspect units*" (page 5 of Design Statement". Upon inspection of the floors plans apartment nos. it is noted that there are at least 57no. units in the scheme that are single-aspect, north facing units.

From a thorough examination of the plans there are 59no. **single-aspect, north-facing units** and none of these units overlook a significant amenity which would allow for consideration of their acceptability. For the convenience of the planning authority they are set out below.

SINGLE-ASPECT NORTH-FACING APARTMENT UNITS:

Block 1A / Ground Floor

- 6

- 7 (the second aspect is not a true aspect as the second as aspect faces towards the side was of the adjoining unit)

First Floor

- 16
- 17

Second Floor

- 28
- 29

3rd floor

- 40
- 41

Block 1B / 1st floor

- 158
- 159

2nd floor

- 169
- 170

3rd floor

- 180
- 181

Block 2A / Ground Floor

- 297
- 298

First Floor

- 308
- 309

2nd floor

- 308
- 309

3rd floor

- 330
- 331

Block 2B / 1st floor

- Unit 404

2nd floor

- 414

3rd floor

- 424
-

Block 2C / 1st floor

- 487

2nd floor

- Unit 499

3rd floor

- 511

Block 3A / Ground Floor

- 536 (3 bed unit)

First floor

- 546 (3 bed)

2nd floor

- 556

3rd floor

- 566 (3bed)

4th floor

- 52
- 192
- 341
- 342
- 523
- 576 (3 bed)

5th floor

- 63
- 203
- 353
- 586

6th floor

- 74
- 363
- 364
- 454
- 596 (3bed)

7th floor

- 85
- 375
- 374
- 606 (3 bed)
- 695

8th floor

- 96
- 236

9th floor

- 105
- 10th floor
- 114
- 11th floor
- 123

Single-Aspect Units

These units do not fit the definition of dual aspect units, provided by the applicant on page 25 of the Housing Quality Assessment Report submitted i.e. the window on the second façade is not sufficiently large to let in a useful amount of light nor does it provide a view to the residents and be openable to provide reasonable ventilation

The applicant claims that 60% of units are 'Dual Aspect'. This is not a correction assertion and is grossly misleading. Section 03 of the Design Statement states that the following units are Dual Aspect but are in fact single-aspect i.e.

- 532 and unnumbered apartment adjoining (unnumbered, possible 625)
- 293
- 394
- 7
- 542
- 632

Upon a thorough examination of the plans the units are identified as having two aspects but they are in fact single-aspect Units. It is likely that there are many more, **the planning authority is urged not to take any of the applicants claims or measurements at face value and to verify and take measurements independently.**

Approximately 60% of the residential units proposed are in fact single aspect

Single-Aspect 3-bedroomed Units

The apartment guidelines require that 3 bedroom units have at least two aspects. The WPRA have identified the following units as 'Single-aspect 3-bedoom units' and there are very likely to be others throughout the scheme:

- 532
- Unnumbered unit Adjoining 532 on ground floor (block 3B)
- 536 (Block 3A)
- 482(2C) ground floor
- 143 (Block 1B ground floor)
- 251 (Block 1C ground floor)

Amenity Spaces Per bed Space

A total of 2849 bedspaces are proposed. As with the areas of communal and public amenity spaces the figures have been overinflated. The true figures are set out below

- **Zone 1**

1A 183.1 (incorrectly stated as 237 sq.m.)

1B 183.1

1C 134.8

Total = 501 sq.m.

- **Zone 2**

2A :148.6

2B: 144.5

2C: 24 (incorrectly stated as 75.2 in Design Statement page 58)

Total = 317.1 sq.m.

- **Zone 3:**

3A: 170.7

3B: 171.1

3C: 25 sq.m. (incorrectly stated as 81 sq.m.)

Glenville: 150 + 217 + 217 = **584** (includes circulation spaces, stairways etc.)

Total = 950 sq.m.

- **Zone 4**

4A 25.2 (is in fact a lobby area; not amenity)

4B 66.1

Total = 66.1 sq.m.

1834.2 sq.m to serve 2848 sq.m. of bedspaces equates to **0.644 sq.m.** of internal amenity space **per resident.**

The total floor area of internal 'amenity space' provided per bedspace is very low and the actual spaces provided are generic, with no indication on the floor plans of their function or amenity value. This aspect of the scheme is very poorly considered and merely a tokenistic gesture. The overall amenity value of the scheme cannot said to be enhanced in any genuine way by reason of the incorporation of a small amount of floor area with no indication whatsoever of its amenity functions.

The development should, therefore, be refused the following 5th and 6th no. reasons below:

Reason No. 5 The *proposed development is seriously substandard with regard to the residential amenities of future occupants in terms of the incorporation single-aspect north-facing units; single-aspect 3-bedroomed units, a high percentages of single-aspect units with a high number of single-aspect units facing a busy road corridor i.e. Dundrum bypass; a significant number of units failing to achieve daylighting standards with no robust accompanying compensatory measures; excessively long internal communal corridors with no natural daylight or ventilation; poor quality of amenity for ground floor residential units where private balconies and internal rooms are positioned directly adjoining public spaces with no defensible space provided and a significant deficits of public and communal amenity spaces. The proposed development would, therefore, fail to provide for an adequate standard of residential amenity for future occupants of the scheme and would, therefore, be contrary to the proper planning and sustainable development of the area.*

Reason No. 6*: The proposed development is seriously deficit in communal and public amenity spaces (between 23% and 25% shortfall in minimum required quantities). The spaces are also substandard in their quality with restricted widths, experiencing excessive overshadowing, and inadequate buffers provided between the public and communal spaces. The public open spaces are not highly visible or easily accessible by the public from the main street and due to the topography of the site, their layout and functionality is seriously compromised. The "Urban Design Manual – a Best Practice Guide" issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key criteria such as connections and inclusivity. At the neighbourhood level it is considered that the proposed development has failed to successfully address the criteria of connections and inclusivity. The development is therefore considered to materially contravene the development plan in relation to the provision of public and communal open space to serve the proposed development. These issues have not been addressed in the applicant's Material Contravention Statement or mentioned in site notices and the subject application therefore does not meet the requirements of section 8(1)(a)(iv)(I) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended). The Board therefore cannot invoke section 37(2)(b) of the Planning and Development Act 2000 (as amended) in this instance and is precluded from granting permission*

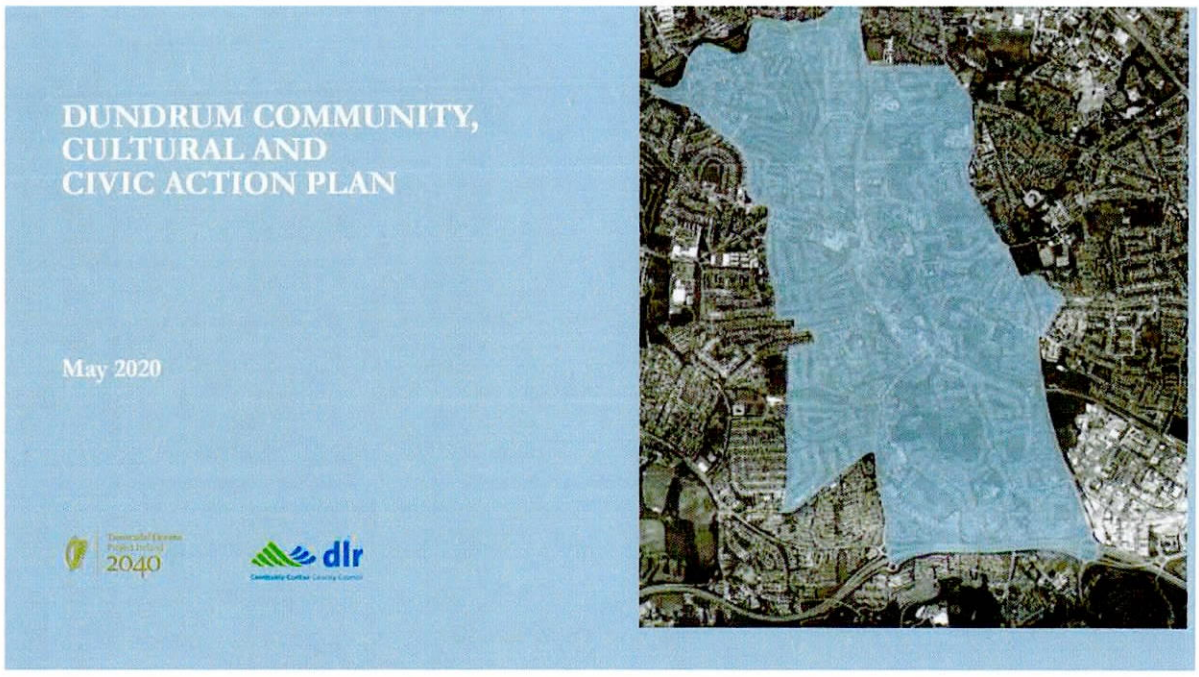
Community, Cultural, Civic Infrastructure

As per Section 7.5.2 of the development plan *the redevelopment of the old Dundrum Shopping Centre and the Central Mental Hospital site represents an opportunity to achieve additional community infrastructure in this regard.*

SLO 11 as per Zoning Map 1	**To support the recommendations of the Dundrum Community, Cultural and Civic Action Plan.**

ABPs attention is drawn to the following document which the applicant states was not publicly available. It is available on the DLRCOCO website at this link. Specific infrastructure requirements for this area, identifying the gaps including the site. As per DLRCOCO's website this is "*a non-statutory guidance document that will assist the Council in deciding how best to deliver future community, cultural and civic infrastructure in the area identified and the outputs of the CCCAP will very much inform and feed into the forthcoming statutory Local Area Plan that is to be prepared for Dundrum*".

Plan Found Here:
https://www.dlrcoco.ie/en/non-statutory-plans/dundrum-community-cultural-and-civic-action-plan-0



Although the plan is a non-statutory plan it is a material consideration in all planning applications as policy in the development plan supports its implementation. The plan identifies the following gaps in the Table contained within and reproduced below. The application makes no provision for any of these facilities in the application.

Identified Gaps and Emerging Priorities

In summary the identified gaps are as follows:

Facilities

District

- New or refurbished library required
- Public plaza
- Accessible Council facilities/services and Council Chamber
- Public service offices, including Citizens Information
- Multi-functional community meeting rooms, art facility/ performance space
- Replacement of Rosemount FRC required

Neighbourhood

- Age specific facilities for youths
- Address needs of elderly
- Sports and indoor recreation including indoor sports, martial arts, associated all weather facility to serve northern neighbourhoods
- Flexible multi-functional community facility provision in Windy Arbour-Clonskeagh, Wyckham and Orwell-Churchtown
- Refurbishment/expansion of 137th Balally Scouts Den

Local

- Community rooms, included as part of larger residential developments
- Mens' sheds
- Local sporting club needs

Emerging Priorities

Short-term

- Dundrum Civic Centre and rationalisation of community facilities in Dundrum Town Centre
- Clustering of community and sporting/recreational facilities in Windy Arbour- Clonskeagh
- Facilities available to all at reasonable cost

Medium-term

- Sustainable transport improvement to existing facilities with poor accessibility ratings
- Develop framework for provision in Wyckham

Long-term

- Provision of multi-functional community facilities in Orwell-Churchtown if significant additional development
- Develop more secular, universally accessible models for community facility provision

Identified Gaps as per findings of Dundrum, Community, Cultural and Civic Plan (Page 39)

For the convenience of the Planning Authority some of the more pertinent figures included in the **Dundrum Community, Cultural and Civic Action Plan (2020) have been included below:**

Dundrum Town Centre

Principal Issues

The main issues arising from the CCCAP are:

- Carnegie Library, which is a protected building, is currently not suitable.
- There are threats to important tenancies, including the Rosemount FRC at Waldemar Terrace, An Post and the School of Music in the Dundrum Village Centre.
- It is an identified priority to develop a Civic and Cultural Hub including Civic Offices, Council chamber, other public services (MABS and Citizen's Information), multi-functional community, cultural and exhibition space and to promote rationalisation of community facilities (estimated floor area of c.5,000 sqm).
- Dundrum Shopping Town Centre provides an important and significant retail function but focusses activity at the southern of the Main Street.
- Dundrum Village has no frontage or activity onto the Main Street and there is a lack of any significant focus or counterpoint attraction at the northern end.
- Dundrum does not have a public square and place for gathering for civic events.
- There is a need to integrate community, cultural and civic facilities with public transport in the form of bus and Luas and ensure increased permeability through Dundrum Phase II.

Opportunities

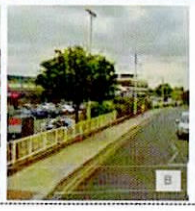
The following sites/premises are identified as opportunities:

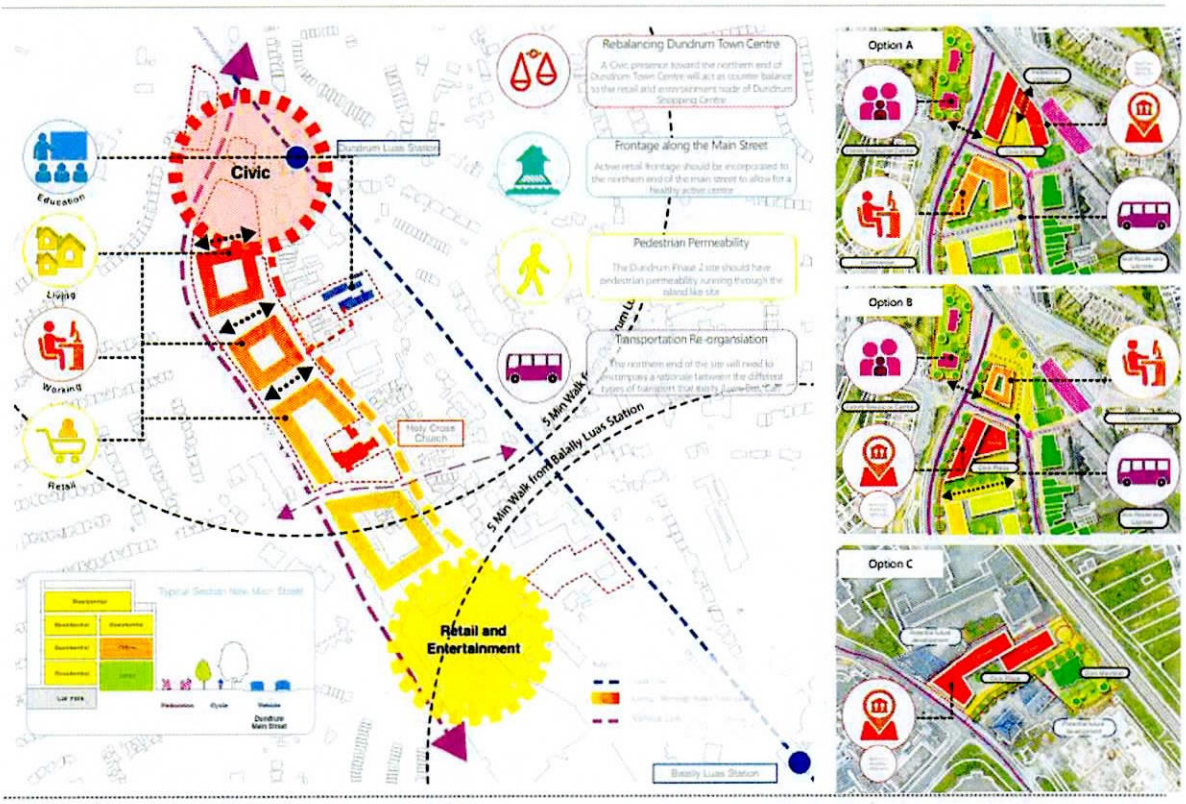
- Dundrum Library (0.26 ha – ownership – Council)
- Dundrum Phase 2 (2.7 ha – ownership – private)
- Waldemar Terrace (0.9 ha - ownership - private)
- Council carpark/Dom Marmion (0.5 ha – ownership – Council/private)

Place-making and Neighbourhood Approach

The guiding principles for the development facilities:

- Create a Civic and Cultural quarter that contributes to the regeneration of Dundrum in a balanced manner.
- Ensure that uses contribute to footfall along Main Street.
- Create a civic plaza that is an asset to the community.
- Facilitate pedestrian permeability and accessibility to Luas and bus connections.





No community or social infrastructure has been included in the application. The applicant has offered the possibility of a condition to be attached of converting proposed retail uses to community uses. This is not an acceptable approach as the level of retail will be diluted even further, thereby reducing the employment potential even further on the site, in direction contravention of the intent of the MTC zoning objective.

Phasing

The phasing proposed for the building of the scheme, to run over 8 years, is of real concern. The applicant is proposing to front load the higher blocks, including the 16-storey residential and supermarket elements of the proposed scheme at the northern end of the site leaving the construction of the retail/crèche, residents' amenity, cafes, restaurants and majority of the public spaces i.e. towards the end of the phasing programme.

On any development on this MTC-zoned site, the commercial and retail facilities along with the public amenity spaces should be frontloaded in the development of the site followed by the residential element. There is real concern that the residential elements at the northern end of the site will be completed and the rest of the site lie idle when the developer may halt any further development as happened with Phase 1 and Phase 2 of the Dundrum Town Centre Site i.e. Phase 1 of the Town Centre development is largely complete while Phase 2 i.e. the development permitted on this site was never constructed.

The Phasing Programme is flawed when viewed in the context of the intent of the zoning objective on this site.

Conclusion

The proposed development should be refused for the following 6. No Reasons

Reason 1: *The proposed development, comprising 95% residential use with 5% non-residential use, on a site zoned as "Major Town Centre" (MTC) with the accompanying land use objective "To protect, provide for and improve major town centre facilities" constitutes a Material Contravention of the zoning objective as set out in Table 13.1.11 of the Dun Laoghaire Rathdown County Development Plan 2022 - 2028 and supported by policy objectives throughout the development plan, including the Core Strategy, Retail Strategy, Enterprise & Employment Strategy, Housing Strategy and the Special Local Objectives pertaining to the site as identified on Zoning Map 1. The policy context for the site requires that other uses, such as residential, will be at an appropriate ratio where they are complementary to the main employee-intensive and multi-functional use and shall not conflict with the primary land-use zoning objective. The proposed development fails to satisfy this policy requirement. The proposed development would, therefore be contrary to the proper planning and sustainable development of the area.*

Reason 2: *The proposed development is deemed premature pending the adoption of the Dundrum Local Area Plan providing a detailed approach to the multi-functional and sustainable development of the Dundrum area, including this site. A grant of planning permission in this instance would set an undesirable precedent for the ad-hoc and piecemeal development of Major Town Centre (MTC) zoned lands that could prejudice the future regeneration of such lands in accordance with national and regional policy objectives to target significant future growth (housing and employment) into brownfield lands within the M50 corridor and along public transport corridors. The proposed development, would, therefore, be contrary to the proper planning and sustainable development of the area.*

Reason No. 3: *The proposed development fails to meet the criteria set out in 3.2 of Specific Policy Requirements 3 as set out within the Urban Development and Building Heights Guidelines for Planning Authorities (2018). The is located partially within and adjacent to Dundrum Architectural Conservation Areas and in very close proximity to buildings listed in the Record of Protected Structures of the Dun Laoghaire Rathdown Development Plan 2022 - 2028. The proposed development fails to successfully integrate into or enhance the character and public realm of the area, having regard to the excessive height, scale, massing and bulk of the development, its monotonous design, the topography of the site and the proximity of domestic scale residential development in Sweetmount Avenue, proximity to protected structures and the Dundrum ACA and the existing landmark structure of exceptional architectural merit, the Luas Overbridge. At the scale of neighbourhood and given the topographical and architecturally sensitive constraints in and around the site, the proposed development would not successfully integrate with existing development in the vicinity and the demolition of buildings of architectural interest within the ACA would have a significant negative impact on the ACA representing*

a loss of the late nineteenth century building fabric in this part of the main street. The proposed development, would, therefore, be contrary to the Ministerial Guidelines and would be therefore contrary to the proper planning and sustainable development of the area.

Reason No. 4: *Having regard to the design, scale, bulk and height of the development, to its proximity to site boundaries i is considered that the proposed scheme would be overbearing when viewed from adjacent residential properties and would seriously injure the residential amenities of adjoining properties through undue levels of overlooking, overshadowing and noise impacts. In addition, the development would have an adverse visual impact on Sweetmount Avenue due to its bulk and scale in close proximity to the road and to the excessive height, scale and bulk and extensive nature of the façade at the road/western frontage. The proposed development would be contrary the National Planning Framework and Ministerial Guidelines, which promote innovative and qualitative design solutions and would seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

Reason No. 5 The *proposed development is seriously substandard with regard to the residential amenities of future occupants in terms of the incorporation single-aspect north-facing units; single-aspect 3-bedroomed units, a high percentages of single-aspect units with a high number of single-aspect units facing a busy road corridor i.e. Dundrum bypass; a significant number of units failing to achieve daylighting standards with robust accompanying compensatory measures; excessively long internal communal corridors with no natural daylight or ventilation; poor quality of amenity for ground floor residential units where private balconies and internal rooms are positioned directly adjoining public spaces with no defensible space provided and a significant deficits of public and communal amenity spaces. The proposed development would fail to provide for an adequate standard of residential amenity for future occupants of the scheme and would, therefore, be contrary to the proper planning and sustainable development of the area.*

Reason No. 6*: The proposed development is seriously deficit (between 23% and 25% shortfall in minimum required quantities) in communal and public amenity spaces. The spaces are also substandard in quality with restricted widths, experiencing excessive overshadowing, and inadequate buffers provided between the public and communal spaces. The public open spaces are not highly visible or easily accessible by the public from the main street and due to the topography of the site, their layout and functionality is seriously compromised. The "Urban Design Manual – a Best Practice Guide" issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key criteria such as connections and inclusivity. At the neighbourhood level it is considered that the proposed development has failed to successfully address the criteria of connections and inclusivity. The development is therefore considered to materially contravene the development plan in relation to the provision of public and communal open space to serve the proposed development. These issues have not been addressed in the applicant's Material Contravention Statement or mentioned in*

site notices and the subject application therefore does not meet the requirements of section 8(1)(a)(iv)(I) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended). The Board therefore cannot invoke section 37(2)(b) of the Planning and Development Act 2000 (as amended) in this instance and is precluded from granting permission

Suzanne Young, WPRA